

REMARKS

Reconsideration of the instant application is respectfully requested. The present submission is responsive to the Office Action of April 19, 2005, in which claims 1-12 were previously pending. Subsequent to a restriction election, claims 1-6 are presently under examination, each of which stands rejected under 35 U.S.C. §102(c), as being anticipated by U.S. Patent 6,011,433 to Nairn. For the following reasons, however, it is respectfully submitted that the application is in condition for allowance.

Claims 1 and 4 have been amended as indicated above to more particularly point out that the capacitor(s)/trim element(s) are formed within an integrated circuit substrate by damascene processing. Support for this amendment is found at least in paragraphs [0019], [0020], [0022], [0036] and [0040] of the electronically filed specification. In addition, claims 1 and 4 are also amended to more particularly point out the relationship between the links and the trim(plate) elements. It is noted that language of the claims, as presently amended, correspond to the structural claims of parent application 09/525,088, now U.S. Patent 6,680,520.

Accordingly, the present amendment overcomes the 102(c) rejections based on the Nairn reference, since at least the processing elements of the claims are not taught or disclosed in Nairn. It is therefore respectfully requested that the present rejections be withdrawn.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,  
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